

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
ESTHER SALAS
UNITED STATES MAGISTRATE JUDGE

MARTIN LUTHER KING COURTHOUSE
50 WALNUT ST.
ROOM 2060
NEWARK, NJ 07101
973-297-4887

April 12, 2010

LETTER ORDER

Re: N.V.E., Inc. v. Palmeroni, et al.
Civil Action No. 06-5455 (GEB)

Dear Counsel:

As discussed at the March 31, 2010 teleconference with this Court; and the Court having been advised that the parties have met and conferred with respect to certain issues and have not been able to resolve them; it is therefore **ORDERED** that

The parties will prepare and file a joint submission outlining **any and all** pending discovery disputes.

- 1) The joint submission shall be in the following format:
 - a. **Disputes Regarding Documents.** The parties shall prepare a three-column **joint table**. Each row of this joint table must: (i) identify a document or category of documents in dispute (if possible by bates-range), (ii) provide a **brief** synopsis of the complaining party's position, and (iii) provide a **brief** synopsis of the responding party's position. The brief synopsis should include references to the appendices prepared pursuant to paragraphs 3(d) and 3(e) of this Order, the memoranda of law prepared pursuant to paragraph 3(c) of this Order, and letters already submitted to this Court. If a claim of privilege is being asserted, the complaining party shall submit the privilege log associated with each document in question. The parties should also be prepared to argue the relevance of the documents.
 - b. **Disputes Regarding Interrogatories.** The parties shall prepare a three-column **joint table**. Each row of this joint table must: (i) identify an interrogatory in dispute, (ii) provide a **brief** synopsis of why the party propounding said interrogatory believes the response is inadequate, (iii) provide a **brief** synopsis of why the responding party believes the response is sufficient. The brief synopsis should include references to the appendices prepared pursuant to paragraphs 3(d) and 3(e) of this Order, the memoranda of law prepared pursuant to paragraph 3(c) of this Order, and letters already submitted to this Court.
 - c. **Joint Memorandum of Law.** The parties must submit a joint memorandum of

law, which coincides with the joint tables, to supplement any position taken in either of the joint tables with more extensive legal argument that cites to relevant case law.

- d. **Joint Appendix**. The parties shall compile in a single binder all documents, with the exception of documents subject to claims of privilege or work-product protection, that the Court must consider to resolve the pending discovery disputes.
 - e. **Confidential Appendix**. Each party shall also compile in a separate binder all documents subject to disputes regarding privilege or work product protection that the Court must consider *in camera* to resolve the pending discovery disputes.
- 2) Each party shall deliver their portion of the submission to the other on or before **April 15, 2010**
 - 3) The joint submission is due to this Court on or before **April 19, 2010** The submission does NOT need to be e-filed; please simply forward an original and a courtesy copy to the Court.
 - 4) Oral Argument regarding the joint submission will be set at the **April 22, 2010** telephone conference.

SO ORDERED.

s/ Esther Salas

Esther Salas

UNITED STATES MAGISTRATE JUDGE